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16 *Attorneys for Defendant Pinnacle Holding Company, LLC*

17 **UNITED STATES DISTRICT COURT**

18 **FOR THE EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

19 PINNACLE EMPLOYEE SERVICES,  
20 INC., a California corporation; and  
21 MICHAEL ALLEN, an individual,

22 Plaintiffs,

23 v.

24 PINNACLE HOLDING COMPANY, LLC,  
25 a Delaware limited liability company,

26 Defendant.

27 **Case No. 2:22-CV-01367-KJM-CKD**

28 **STIPULATION TO EXTEND TIME TO  
RESPOND TO COMPLAINT AND JOINT  
MOTION TO RESET PRETRIAL  
SCHEDULING CONFERENCE TO  
COINCIDE WITH MOTION TO DISMISS  
HEARING**

1 Current Response Date: November 28, 2022

2 Proposed Response Date: December 5, 2022

3 Current Pretrial Scheduling Conference Date:  
4 December 15, 2022

5 Proposed Pretrial Scheduling Conference Date:  
6 January 27, 2022

1       Defendant Pinnacle Holding Company, LLC (“PHC” or “Defendant”), on the one hand, and  
2 Plaintiffs Pinnacle Employees Services, Inc. (“PES”) and Michael Allen (“Allen,” and with PES,  
3 “Plaintiffs”), on the other hand, hereby stipulate and agree that PHC shall have up to and including  
4 December 5, 2022 to respond to the Complaint of Plaintiffs. Defendant’s original response date was  
5 November 28, 2022, and as such the parties submit that this initial stipulation extending time complies  
6 with Local Rule 144(a) and thus does not require Court approval.

7       This is the first such stipulation entered into by the affected parties and is sought by the parties to  
8 allow time to meet and confer regarding an intended motion to dismiss under Fed. R. Civ. P. 12(b)(2)  
9 and Fed. R. Civ. P. 12(b)(6) in an effort to simplify the issues.

10      Given that Defendant intends to notice a hearing on its intended motion for January 27, 2023, the  
11 parties believe that it would save both party and Court resources to consolidate the motion hearing with  
12 the pretrial scheduling conference currently scheduled for December 15, 2022. As such, the parties  
13 further respectfully request that the pretrial scheduling conference currently scheduled for December 15,  
14 2022 be continued to January 27, 2023 such that it can be conducted at the same time as the motion  
15 hearing.

16      Parties further stipulate that the F.R.C.P 26(f) conference will be held between December 5,  
17 2022 and January 6, 2023, and the parties will submit their disclosures required by F.R.C.P. 26(a) and  
18 F.R.C.P. 7.1 no later than January 13, 2023.

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1 Pursuant to Paragraph 5 of the Court's Standing Order (dkt. 8-1), the parties have not provided a  
2 proposed order herewith, but will do so upon request.

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4 DATED: December 1, 2022 Respectfully submitted,

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6 FERGUSON CASE ORR PATERSON LLP

7 By: /s/ Corey A. Donaldson  
Corey A. Donaldson

8  
9 HANCOCK ESTABROOK LLP

10 James P. Youngs (*pro hac vice*)  
11 AbiDemi M. Donovan (*pro hac vice*)

12 *Attorneys for Defendant Pinnacle Holding Company, LLC*

13  
14  
15 DATED: December 1, 2022 KROGH & DECKER, LLP

16 By: /s/ Çağil Arel (as authorized on December 1, 2022)  
17 Derek C. Decker  
18 Çağil Arel

19 *Attorneys for Plaintiffs Pinnacle Employees Services, Inc.  
and Michael Allen*

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2                   CERTIFICATE OF SERVICE  
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I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the Electronic Service List for this Case.

DATED: December 1, 2022

FERGUSON CASE ORR PATERSON LLP

By:     /s/ Corey A. Donaldson  
Corey A. Donaldson

HANCOCK ESTABROOK LLP

James P. Youngs (*pro hac vice*)  
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